

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- V. -

ANTHONY MOLINA,

Defendant.

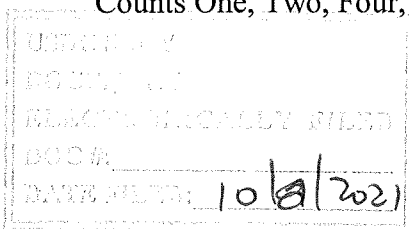
~~[PROPOSED]~~ PRELIMINARY
ORDER OF FORFEITURE/
MONEY JUDGMENT

S1 19 Cr. 449 (NSR)-03

WHEREAS, on or about December 8, 2020, ANTHONY MOLINA (the “Defendant”), among others, was charged in a six-count Superseding Indictment S1 19 Cr. 449 (NSR) (the “Indictment”), with Hobbs Act Robbery Conspiracy, in violation of Title 18, United States Code, Section 1951 (Counts One and Four); Hobbs Act Robbery, in violation of Title 18, United States Code, Section 1951 and 2 (Counts Two and Five) and firearms offense, in violation of Title 18, United States Code, Section 924 (c)(1)(A)(ii) and 2 (Counts Three and Six);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One, Two, Four, and Five of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One, Two, Four, and Five of the Indictment, including but not limited to a sum of money in United States currency representing proceeds traceable to the commission of the offenses charged in Counts One, Two, Four and Five of the Indictment;

WHEREAS, on or about June 23, 2021, was found guilty, following a jury trial, of
Counts One, Two, Four, and Five of the Indictment;



WHEREAS, the Government asserts that \$103,425.91 in United States currency represents representing proceeds traceable to the commission of the offenses charged in Counts One, Two, Four, and Five of the Indictment, that the Defendant personally obtained;

WHEREAS, the Government seeks a money judgment in the amount of \$103,425.91 in United States currency, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), representing the proceeds traceable to the offenses charged in Counts One, Two, Four, and Five of the Indictment that the Defendant personally obtained; and

WHEREAS, the Court finds that as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One, Two, Four, and Five of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offense charged in Counts One, Two, Four, and Five of the Indictment, to which the Defendant was found guilty following a jury trial, a money judgment in the amount of \$103,425.91 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses charged in Counts One, Two, Four, and Five of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, ANTHONY MOLINA, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

Dated: New York, New York
September 24, 2021

SO ORDERED:



HONORABLE NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

9/24/2021

DATE